

## United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Milton I. Shadur	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	03 C 3409	DATE	6/16/2003
CASE TITLE	USA ex rel. Homer Hanrahan vs. Donald Snyder		

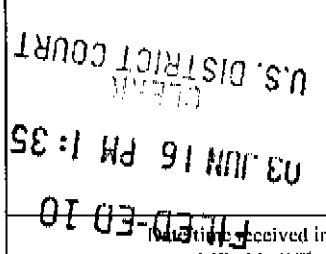
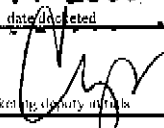
[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

## MOTION:

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## DOCKET ENTRY:

(1)	<input type="checkbox"/>	Filed motion of [ use listing in "Motion" box above.]
(2)	<input type="checkbox"/>	Brief in support of motion due _____.
(3)	<input type="checkbox"/>	Answer brief to motion due _____, Reply to answer brief due _____.
(4)	<input type="checkbox"/>	Ruling/Hearing on _____ set for _____ at _____.
(5)	<input type="checkbox"/>	Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
(6)	<input type="checkbox"/>	Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
(7)	<input type="checkbox"/>	Trial[set for/re-set for] on _____ at _____.
(8)	<input type="checkbox"/>	[Bench/Jury trial] [Hearing] held/continued to _____ at _____.
(9)	<input type="checkbox"/>	This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to] <input type="checkbox"/> FRCP4(m) <input type="checkbox"/> Local Rule 41.1 <input type="checkbox"/> FRCP41(a)(1) <input type="checkbox"/> FRCP41(a)(2).
(10)	<input checked="" type="checkbox"/>	[Other docket entry]   Enter Second Supplement to Memorandum Opinion and Order. Hanrahan's motion to reconsider memorandum opinion and order is denied. (11-1)
(11)	<input checked="" type="checkbox"/>	[For further detail see order attached to the original minute order.]

<input type="checkbox"/>	No notices required, advised in open court.		number of notices	<b>Document Number</b>  <div style="font-size: 2em; font-family: cursive;">12</div>
<input type="checkbox"/>	No notices required.		<div style="border: 1px solid black; padding: 2px;">JUN 17 2003</div> <small>date dictated</small>	
<input checked="" type="checkbox"/>	Notices mailed by judge's staff.		 <small>docketing clerk's initials</small>	
<input type="checkbox"/>	Notified counsel by telephone.		6/16/2003 <small>date mailed notice</small>	
<input type="checkbox"/>	Docketing to mail notices.		SN <small>mailing deputy initials</small>	
<input type="checkbox"/>	Mail AO 450 form.			
<input type="checkbox"/>	Copy to judge/magistrate judge.			
<div style="border: 1px solid black; padding: 5px; display: inline-block;">SN</div> <div style="margin-left: 10px;">courtroom deputy's initials</div>				

**DOCKETED**  
JUN 17 2003

No. 03 C 3409

Exhibit 1 to the current submission reproduces the February 14, 2003 order by which District Judge Harold Baker dismissed a 42 U.S.C. §1983 action that Hanrahan and other plaintiffs had originally filed seeking the same relief. Judge Baker held that because the relief sought would affect the duration of Hanrahan's imprisonment, 42 U.S.C. §1983 was an inappropriate vehicle for

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that purpose. Although Judge Baker then went on to characterize Section 2254 as the potential source for such relief and directed the Clerk of Court to mail appropriate forms for filing under that statute to Hanrahan and his co-plaintiffs, Judge Baker's dismissal order did not express any view as to the actual availability of relief under Section 2254.

What Hanrahan now states in his motion for reconsideration is that his claimed deprivation of good time is an ongoing matter, so that the advancement of his claim a full quarter century after he began to suffer such asserted deprivation renders the current action timely. But his prayer seeks relief for the entire period that began February 1, 1978, and even were that not so the fact remains that he first suffered harm from the claimed wrong back then -- so any claim on that score ripened years ago, with only the asserted damages from the claimed wrong continuing to accrue thereafter. This Court continues to view such a claim as barred by Section 2244(d)(1), even if Section 2244(b)(3)(A) were held not to apply on the premise that this is not a "second or successive habeas corpus application."

Accordingly the Motion To Reconsider is denied. Because Hanrahan has stated his intention to seek leave from the Court of

Appeals, this Court will of course abide whatever outcome stems from that effort.

A handwritten signature in cursive script, reading "Milton I. Shadur", written over a horizontal line.

Milton I. Shadur  
Senior United States District Judge

Date: June 16, 2003